

REMARKS

Claims 94, 99, 101 and 113 indicated to contain allowable subject matter have now been rewritten in independent form as claims 115 through 118. Claim 104 has been canceled. Accordingly, the claims now in the case are 90-93, 95-98, 100, 102, 103, 105 -112, and 114-118.

Claim 90 has been amended both to improve its form and better to define applicant's contribution. At the time when this application was filed, we had amended the claims better to convert British originated claims into U.S. form. Our conversion was not as thorough as it should have been and that has now been corrected. We apologize for any inconvenience we may have caused the Examiner.

Claims 90-93, 97, 98, 100 and 114 were rejected on Meier in view of Boyer and Beardshaw. We agree that Meier discloses a chair in which the rear wheels move rearwardly when the chair back is reclined rearwardly. We also agree that Boyer teaches a wheelchair having a removable seat assembly and Beardshaw teaches a chair with foldable frame assembly. What we do not find is any suggestion (apart from hindsight reconstruction based on applicant's disclosure) of a chair having these three generally defined characteristics. Moreover, we do not find any suggestion that the three features could or should be combined.

Claim 90 and its dependent claims specifically define a single chair which has the three features shown in hindsight by these three references. The claims define applicant's chair in manners that set forth clear definitions of unobvious combinations of features. These are features which heretofore have never been assembled into one chair.


We submit the Examiner is using the applicant's guidance, to present a hindsight reconstruction which the Examiner says renders the applicant's contribution obvious. We demur. It is not enough that elements of a novel combination can be found in prior art references. There must be some inspiration for combining those references and here such inspiration can neither be found in the references themselves or in the Examiner's Office Action.

The addition of Anderson to reject claims 106 and 107, of GB '402 to reject claim 110 and of Koerlin to reject claim 112 simply compounds the problem of hindsight aggregation of references without any inspiration for combinations of references.

We respectfully submit the cases in condition for allowance and a prompt notice of allowance is respectfully requested.

Respectfully Submitted

Dated: 2/17/04

A handwritten signature in cursive script, appearing to read "Thomas E. Fisher", written over a horizontal line.

Thomas E. Fisher
(Reg. No. 18,271)